

Message Text

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ACTION NEA-10

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C O N F I D E N T I A L COLOMBO 1707

E.O. 11652: GDS
TAGS: PFOR, CE

SUBJ: AMBASSADOR'S CALL ON FOREIGN MINISTER HAMEED

1. ON APRIL 11 I WAS ASKED TO COME TO THE FOREIGN MINISTRY ON THE MORNING OF APRIL 12 FOR A CONVERSATION WITH THE MINISTER GN FOREIGN AFFAIRS. IN THE CONVERSATION HE REQUESTED USG SUPPORT IN THE SECURITY COUNCIL FOR THE CANDIDACY OF HARRY JAYEWARDENE (THE PRESIDENT'S YOUNGEST BROTHER) FOR ONE OF THE FIVE OPENINGS ON THE INTERNATIONAL COURT OF JUSTICE AT THE HAGUE.
2. I EXPRESSED PLEASURE THAT WE HAD SUCCEEDED IN OPENING AN OPPORTUNITY FOR MR. JAYEWARDENE ON THE UN HUMAN RIGHTS COMMISSION AND CONFIRMED OUR CONFIDENCE IN HIM AS A FINE HUMAN BEING. I EXPRESSED SOME SURPRISE, HOWEVER, ABOUT THIS SUGGESTION SINCE I HAD NOT BEEN AWARE THAT HE WAS KNOWN FOR ANY SPECIAL EMINENCE IN MATTERS OF INTERNATIONAL LAW.
3. HAMEED RESPONDED THAT JAYEWARDENE WAS WIDELY COMPETENT AND WOULD DISTINGUISH HIMSELF AS A MEMBER OF THE COURT. HAMEED INDICATED THAT HE WAS DISCUSSING THIS QUESTION WITH OTHER REPRESENTATIVES NOW ON THE SECURITY COUNCIL. (WE HAD ALREADY LEARNED THAT THE CANADIANS, INDIANS, BRITISH AND
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RUSSIANS WERE ALSO BEING INVITED TO CONSULT WITH THE MINISTER.)

4. IN VIEW OF WHAT I UNDERSTOOD TO BE THE NORMAL PROCESS BY WHICH ICJ CANDIDATES ARE ORIGINALLY SELECTED, I INQUIRED OF HAMEED WHETHER THE LAW ASSOCIATION, THE HIGH COURT JUSTICES, MEMBERS OF THE LAW FACULTY, ETC., HAD BEEN INVOLVED IN THIS PRELIMINARY SELECTION PROCESS. HE IMPLIED THAT THERE HAD

BEEN WIDE CONSULTATION ABOUT THIS NOMINATION, BUT I DOUBT IT.

5. I TOLD HIM I WOULD FORWARD TO WASHINGTON WHATEVER SUPPORTING DATA HE AND OTHERS COULD PROVIDE. BUT I INDICATED I FELT CONSTRAINED TO TELL HIM OF MY SENSE THAT THIS WAS NOT A TIMELY MOMENT TO PUT FORWARD THIS CANDIDACY. THOSE ELEMENTS OF MY GOVERNMENT WHO WERE PARTICULARLY CONCERNED WITH BUILDING AN INTERNATIONAL LEGAL SYSTEM, WERE STILL DEEPLY DISAPPOINTED WITH THE LOW PRIORITY THE GOVERNMENT OF SRI LANKA SEEMED TO ATTACH TO THE DESIRES EXPRESSED BY MANY MEMBERS OF THE INTERNATIONAL COMMUNITY REGARDING THE LAW OF THE SEA. WITHIN THE CONVENTIONS OF RECIPROCITY CHARACTERISTIC OF RELATIONS BETWEEN INDEPENDENT STATES, IT WAS QUITE POSSIBLE THAT MY ASSOCIATES IN WASHINGTON WOULD NOT FEEL A GREAT URGENCY TO PUT THEMSELVES OUT FOR THE GSL AT THIS TIME. NATURALLY, I WOULD NOT PRESUME TO SPEAK FOR WASHINGTON ON THIS MATTER, AS I DID NOT KNOW THEIR VIEWS. I WOULD FORWARD TO THEM WHATEVER MATERIAL HE WOULD PROVIDE ME.

6. I INDICATED WE WERE STILL MUCH PREOCCUPIED WITH THE PROBLEM OF THE ANTI-HIJACKING CONVENTIONS AND HOPED THAT THE GSL WOULD ADHERE TO ALL THREE. I ASKED HIM IF MY POLITICAL COUNSELOR COULD COME SEE HIS SPECIALIST ON THE MATTER TO EXPLORE WAYS OF MOVING FORWARD. HE READILY AGREED THAT WOULD BE A GOOD IDEA.

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7. I ALSO NOTED CONTINUING CONCERN ABOUT THE NPT AND THE FACT THAT ALTHOUGH THE GSL HAD SIGNED IT MANY YEARS AGO, IT HAD NOT BEEN RATIFIED. WE MIGHT IN THE NEAR FUTURE BE COMING BACK TO HIM ON THIS.

8. BEFORE I LEFT WE EXCHANGED MESSAGES OF MUTAL RESPECT AND EXPRESSION OF REGRET THAT HIS TRAVELS OUTSIDE THE ISLAND AND MINE TO JAFFNA AND THE MALDIVES HAD LEFT US ALL TOO FEW OPPORTUNITIES TO GET TOGETHER. I HOPED WE COULD DO BETTER BEFORE I RETURNED TO WASHINGTON FOR CONSULTATIONS THE END OF MAY, AND HE AGREED.

9. COMMENT: RE PARAS 1 THROUGH 5: THE BRONX CHEER. CANADIANS DEADPANNED AND RECOMMEND OTTAWA COME BACK TEN DAY'S LATER WITH "WE ARE THINKING ABOUT IT." BRITISH ALSO DEADPANNED AND REPORTEDLY SAID WE NEVER INDICATE AHEAD OF TIME WHAT OUR POSITIONS ON APPOINTMENTS ARE. ALL OF US ARE FED UP ON THIS ONE. PARAS 6 AND 7: WE SHALL PURSUE AS APPROPRIATE. WRIGGINS

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